

CITY COUNCIL
ATLANTA, GEORGIA

04-0-2276
Z-04-149

**A SUBSTITUTE ORDINANCE
BY ZONING COMMITTEE AND
COUNCILMEMBER FELICIA A. MOORE**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF ATLANTA AND THE MAPS ESTABLISHED IN CONNECTION THEREWITH BE CHANGED SO THAT THE FOLLOWING PROPERTY BOUNDED BY CENTER STREET AND ETHERIDGE DRIVE TO THE NORTH, JAMES JACKSON PARKWAY TO THE WEST, HIGHTOWER ROAD TO THE EAST, AND MORRIS STREET TO THE SOUTH, AND THE FOLLOWING PROPERTY BOUNDED BY MORRIS STREET TO THE NORTH, JAMES JACKSON PARKWAY TO THE WEST, HIGHTOWER ROAD TO THE EAST, AND PROPERTIES FRONTED BY BROWN STREET TO THE SOUTH, BE CHANGED FROM R-5 (TWO FAMILY RESIDENTIAL) ZONING CLASSIFICATION TO R-4A (SINGLE-FAMILY RESIDENTIAL) CLASSIFICATION, (COUNCIL DISTRICT 9, NPU-G), AND FOR OTHER PURPOSES.

WHEREAS, many of the undeveloped R-5 parcels are located in neighborhoods which are predominately single-family; and

WHEREAS, the residents of Neighborhood Planning Unit G which is partially located in Council District 9 have expressed concern over the effects of the construction of new duplexes in single family neighborhoods; and

WHEREAS, it is the best interest of the health safety and welfare of the citizens of the City of Atlanta that all reasonable efforts be made to encourage and support the preservation and development of single family neighborhoods, and

BE IT ORDAINED THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property bounded by **Center Street and Etheridge Drive to the north, James Jackson Parkway to the west, Hightower Road to the east, and Morris Street to the south** and the following property bounded by **Morris Street to the north, James Jackson Parkway to the west, Hightower Road to the east, and properties fronted by Brown Street to the south** be changed from **R-5 (Two-Family Residential)** zoning classification to **R-4A (Single-Family Residential)**, classification to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots **249, 250, 259** of the **17th** District, **Fulton** County, Georgia, being more particularly described by the attached map (Exhibit A).

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the Suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

